

of Nullification, because they express the sentiment that the Legislature is not bound, silently, to acquiesce in measures considered by them as subversive of the spirit of the Constitution; and this in the way of instruction to the delegation of the Commonwealth in Congress, for the purpose of preventing the adoption of these measures. The difference between a proceeding of this kind, and an attempt to annul and prevent the execution of existing laws, is too obvious to be overlooked. That the General Government may adopt an unconstitutional measure, is of course possible; and no one can doubt that any portion of the people have a right, in an orderly and peaceable manner, to express their opinion upon the character of any of the measures of the General Government. But when this is done in advance, for the purpose not of denouncing an existing law, but of preventing a threatened mischief, it is not easy to see how the most fastidious judge can find any thing at which to take offence.

But were it even true, that the Legislature of this Commonwealth had expressed the intention of forcibly resisting the execution of an unconstitutional law, it would not therefore follow, that they had countenanced the doctrine of Nullification. The right of forcible resistance to the laws, in cases of extreme oppression, is undisputed. If such a case should ever occur, Massachusetts will openly take her stand upon that undisputed and indefeasible natural right.—Nullification undertakes to reconcile resistance with submission; to obey and break the law at one and the same time. It must be justified, if at all, on principles entirely different from those which justify the natural right of resistance and on principles which have never been professed, countenanced or practised upon by the Government or people of this Commonwealth.

All which is respectfully submitted,

For the Committee,

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